

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR3059
)	
v.)	
)	MEMORANDUM AND ORDER
MICHAEL BREault,)	
)	
Defendant.)	

The defendant has moved to continue the pretrial motion deadline. Filing No. 17. Defense counsel explains that he has received voluminous records for review, and due to the volume of discovery and the press of other matters, both personal and professional, needs additional time to fully review the discovery. Based on the showing set forth in the defendant's motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) Over the government's objection, the defendant's motion to continue, (filing no. 17), is granted.
- 2) The defendant's pretrial motions and briefs shall be filed on or before November 2, 2011.
- 3) The ends of justice served by granting defendant's motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between October 12, 2011 and November 2, 2011, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

October 12, 2011

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge